

Notice of Allowability**Application No.**

10/655,957

Examiner

ARTHUR O. HALL

Applicant(s)

GAUSELMANN, MICHAEL

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to a Response dated 5/5/2009 to the Final Office Action dated 1/6/2009.
2. ☒ The allowed claim(s) is/are 18-20 and 26-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Arthur O Hall/
Examiner, Art Unit 3714

/Peter DungBa Vo/
Supervisory Patent Examiner, Art Unit 3714

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brian Ogonowsky Reg. No. 31,988 on 5/18/2009.

The application has been amended as follows:

In Claim 18,

18. (previously presented) A method performed by a gaming device comprising: generating an outcome of a primary game using a processor, the primary game generating at least one jackpot winning outcome and a plurality of non-jackpot winning outcomes, wherein the primary game comprises displaying a plurality of symbols in at least one row and in N columns on a video display device, wherein N is at least three, and wherein combinations of symbols across the N columns determine the at least one jackpot winning outcome and the plurality of non-jackpot winning outcomes, and wherein only some of the symbols are jackpot-incrementing symbols;

simultaneously displaying a plurality of jackpots to a player on the video display device, each one of the N columns ~~being associated with~~ corresponding to a particular jackpot within the plurality of jackpots, such that ~~there are N jackpots~~ are simultaneously displayed to the player ~~that are associated with the columns~~;

incrementing a particular one of the N jackpots ~~associated with~~ corresponding to a particular one of the N columns when at least one of the jackpot-incrementing

symbols is randomly displayed in ~~that a position in the particular~~ one of the N columns; and

awarding at least one of the N jackpots to a player by crediting a credit meter upon the player achieving a jackpot winning outcome, the N jackpots being incremented by the jackpot-incrementing symbols occurring in the N columns over a plurality of primary games.

Claims 21-25 have been cancelled.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The closest prior art for the features of the claimed invention are Wood et al. (US Patent 5,868,619; hereinafter Wood), Slomiany et al. (US Patent 6,159,098; hereinafter Slomiany) and Marks et al. (US Patent Application Publication 2003/0236116; hereinafter Marks).

However, Wood alone or in combination with Slomiany and Marks does not disclose a method of executed on a game device that generates at least one jackpot winning outcomes and plural non-jackpot winning outcomes, determines the at least one jackpot winning outcome from combinations of symbols across the at least three columns, displays plural symbols including only some jackpot-incrementing symbols in at least one row and at least three columns simultaneously with at least three of the plural jackpots based on each one of the at least three columns corresponding to a particular jackpot, and increments one of the at least three jackpots when at least one jackpot-incrementing symbol is randomly displayed in a position in one of the particular

N columns, wherein the at least three jackpots are incremented by the jackpot incrementing symbols that occur in the N columns over plural primary games. Thus, the claimed invention is not anticipated by nor obvious over the closest prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ARTHUR O. HALL whose telephone number is (571)270-1814. The examiner can normally be reached on Mon - Fri, 8:00am - 5:00 pm, Alt Fri, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571) 272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. O. H./
Examiner, Art Unit 3714

/Peter DungBa Vo/
Supervisory Patent Examiner, Art Unit 3714